

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.4017 OF 2004

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. S.K. Sthalekar for the petitioner.

Mr. N.B. Shah for respondent.

CORAM : ANOOP V. MOHTA, J.

DATE : 28.11.2005

. Heard. Both the Courts have granted the application for injunction in favour of the plaintiff and therefore, the defendants and their servants, agents are restrained to obstruct the title and possession of the plaintiff in the suit property, till the disposal of the suit. The learned Counsel appearing for the parties made a statement that the construction of site in question has been completed. This undisputed position

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itself is a sufficient ground to dismiss the present writ petition. As no case is made out to interfere in the reasoning given by the Court below and there is no perversity as such in the order. However, considering the nature of the dispute between the parties the suit No. 143/2003 is expedited. Writ Petition is accordingly disposed of.

2. Issue authenticate copy.

(ANOO P V.MOHTA, J.]